Appl. No. 10/040,293

Amdt. dated March 12, 2007

Reply to Office Action of December 12, 2006

REMARKS

Claims 1 to 9, 12, 15, 18 and 19 were pending in the application at the time of the office action. Claims 1 to 3, 7 to 9, 12, 15 and 18 stand allowed. Claims 4 to 6 and 19 stand rejected as directed to non-statutory subject matter.

Claims 4 to 6 and 19 stand rejected under 35 U.S.C. § 101 for being directed to non-statutory subject matter.

Applicants have cancelled Claim 19 and so rendered the § 101 rejection moot.

Each of Claims 4 to 6 is amended to recite "A computer program storage device including a tangible computer readable media having embodied therein a program of instructions executable by a processor." Thus, each of these claims expressly recites that a tangible computer readable media is included in the program storage device. Therefore, according to the rejection each now recites statutory subject matter. The amendments are supported, for example, at least by paragraph [0076] of the disclosure. Applicants respectfully requests reconsideration and withdrawal of the § 101 rejection of each of Claims 4 to 6.

Claims 1 to 9, 12, 15, and 18 remain in the application. Claims 4 to 6 are amended. Claim 19 is cancelled. Claims 10, 11, 13, 14, 16 and 17 were previously cancelled. For the foregoing reasons, Applicant(s) respectfully request allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 12, 2007.

Attorney for Applicant(s)

March 12, 2007
Date of Signature

Respectfully submitted,

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